

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

RAMON ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM
Section 5: Rio Gallina

Subfile No. CHGA-001-0003

MOTION FOR SUBSTITUTION OF PARTIES

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer (“State”) and pursuant to Fed. R. Civ. Pro. 25(c) moves the Court to issue its order substituting VIVIAN SUAZO TRUST for defendant VIVIAN SUAZO in these proceedings, and as grounds states as follows:

1. The State and defendant Vivian Suazo signed and approved a Consent Order in Subfile CHGA-001-0003 that was filed with the Court on October 16, 2001 (Doc. No. 6374). There are minor errors in the Consent Order that require correction. Title to the land mapped under Subfile CHGA-001-0003 is held in the name of the VIVIAN SUAZO TRUST. Vivian Suazo recently passed away, and the successor trustee to Mr. Suazo is his sister Porfiria Jaramillo. In order to correct the errors in the Consent Order, the State intends to obtain the consent and approval of the successor trustee, and to adjudicate the water rights under this subfile in the name of the trust.

2. Porfiria Jaramillo, successor trustee of the Vivian Suazo Trust, supports the granting of the Motion.

WHEREFORE the State requests the Court to enter its order substituting VIVIAN SUAZO

TRUST for defendant VIVIAN SUAZO in these proceedings.

Respectfully submitted,

/s/ Ed Newville

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above Motion for Substitution of Parties was mailed to following persons on September 1, 2004.

/s/ Ed Newville

Edward G. Newville

DEFENDANT

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